

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

METROKANE, INC.,

Plaintiff,

vs.

HOUDINI, INC.,

Defendant.

Civil Action No. 08-CIV-5841
(Buchwald)

**DECLARATION OF TIMOTHY J. DEAN IN SUPPORT
OF HOUDINI, INC.'S MOTION TO STAY OR TRANSFER**

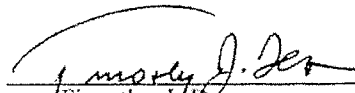
Timothy J. Dean states:

1. I am the President and founder of Defendant Houdini, Inc. ("Houdini"). I make this declaration based on personal knowledge and could competently testify to the facts stated herein if called upon to do so.

2. Houdini is a California corporation having its principal places of business in Fullerton, and Buena Park, California. All of Houdini's records and all of its witnesses in this matter are located in California.

3. Houdini has no office in New York, and has no employees in New York.

Sworn to under the penalty of perjury this 31st day of July, 2008 in Fullerton, California.



Timothy J. Dean

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